

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT McCONNELL,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:10-cv-00021-GMN-WGC

**ORDER GRANTING MOTION
TO STAY SCHEDULING ORDER
(ECF NO. 108)**

In this capital habeas corpus action, on April 3, 2020, the petitioner, Robert McConnell, represented by appointed counsel, filed a second amended petition for writ of habeas corpus (ECF No. 95). On October 8, 2020, Respondents filed a motion to dismiss (ECF No. 105). McConnell was due to respond to the motion to dismiss by December 7, 2020. See Order entered December 4, 2019 (ECF No. 91).

On December 7, 2020, instead of filing a direct response to the motion to dismiss, McConnell filed a motion to strike the motion to dismiss, or, in the alternative, for a more definite statement of the grounds for the motion to dismiss (ECF No. 107). On that same date, McConnell filed another motion (ECF No. 108), requesting that the Court stay the scheduling order in this case, such that he not be required to respond to the motion to dismiss until the motion to strike or for more definite statement is resolved. The Court has reviewed the motion to dismiss, and the motion to strike or for more definite statement, and the Court determines that there is good cause to stay the briefing of the motion to dismiss, as requested by McConnell. The Court will grant the motion to stay the briefing of the motion to dismiss and will set a firm schedule for the briefing of the motion to strike or for more definite statement. The Court will not look

1 favorably upon any motion to extend the schedule for the briefing of the motion to strike
2 or for more definite statement.

3 **IT IS THEREFORE ORDERED** that Petitioner's Motion to Stay Scheduling Order
4 (ECF No. 108) is **GRANTED**. Petitioner will not be required to respond to the motion to
5 dismiss (ECF No. 105) until the motion to strike or for more definite statement (ECF No.
6 107) is resolved. The Court will set a schedule for Petitioner's response to the motion to
7 dismiss, if necessary, when the motion to strike or for more definite statement is
8 resolved.

9 **IT IS FURTHER ORDERED** that Respondents shall respond to the Motion to
10 Strike, or, in the Alternative, Motion for More Definite Statement (ECF No. 107) on or
11 before **January 15, 2021**. Petitioner will then have **10 days** to reply. The Court will not
12 look favorably upon any motion to extend this briefing schedule.

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14 DATED THIS 9 day of December, 2020.

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19 GLORIA M. NAVARRO,
20 UNITED STATES DISTRICT JUDGE
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